



Information and Instructions:

Steps to take if a claimant dies after filing a Personal Injury Eligibility Form

If a claimant who has filed a Personal Injury claim dies, the VCF will stop processing the Personal Injury claim and/or payment of that claim until a Personal Representative of the deceased claimant is appointed. This protects the decedent's personal information and ensures details about the claim are shared only with those who are authorized to access the information.

Important Notice: On December 18, 2015, President Obama signed into law a bill reauthorizing the VCF. The new law requires the VCF to make important changes to the policies and procedures for evaluating claims and dictates that any new claims cannot be filed until the updated regulations have been published by the Special Master. Please see the www.vcf.gov website for important information about the reauthorization and the expected timeline for submitting a new claim.

As a result of the reauthorization, there are certain steps you should take now and certain steps that cannot be completed until the updated regulations are published and the new claim forms become available.

Steps to take NOW

- **If the VCF issued a loss determination on the Personal Injury claim on or before December 17, 2015 and the claimant has died:** You must follow the steps on page 2 of this document to allow the VCF to make payment on the Personal Injury claim. The new law directs the VCF to pay the claim in full, but we can only do this once the steps on page 2 are completed and the proper Personal Representative has been verified by the VCF. If you have already submitted an Eligibility Form for Deceased Individuals on behalf of the decedent, you do not need to follow the steps on page 2 since that form includes the same information. The VCF will contact you if additional information is needed in order to verify the Personal Representative for the claim.
- **If you already submitted an Eligibility Form and/or Compensation Form for Deceased Individuals on behalf of the decedent, or if the decedent previously submitted an Eligibility Form and/or Compensation Form for Personal Injury Claimants on his/her own behalf, but a decision has not yet been rendered:** If you have not already provided information about the decedent's Personal Representative, you should complete the steps on page 2 so that the VCF can continue review of the claim. If the information has already been submitted, the VCF will review your submission and notify you if any additional information is needed. Although we cannot render a loss determination until the new regulations and procedures are published, we are reviewing claims, validating the Personal Representative, rendering Eligibility decisions, and preparing to issue compensation determinations once the law allows us to do so.

Steps to take LATER

- **Complete and submit the Eligibility and/or Compensation Form (if applicable):** The new law specifies that new claims cannot be filed until the Special Master publishes the updated regulations. When the forms become available, you should be prepared to complete and submit any applicable parts of the claim form that have not already been submitted to the VCF. Because we expect few changes to be made to the list of supporting documents that are required when submitting your claim, you can begin compiling those documents now for future submission.



Listed below are the steps you must take to allow the VCF to continue processing a claim for the decedent. *These steps are the same regardless of whether or not the cause of death was an eligible 9/11-related condition or illness.*

Step 1. Identify the authorized Personal Representative: The Personal Representative is the only individual authorized to submit a claim or receive payment on behalf of a deceased individual. This is normally the individual who is appointed by a court of competent jurisdiction, such as a state surrogate or probate court, as one of the following: (1) the Personal Representative of the decedent's will or estate; (2) the Executor of the Decedent's will; or (3) the Administrator of the Decedent's estate.

Step 2. Amend the original claim to add information about the Personal Representative and submit the required documents: The Personal Representative will need to submit documentation to identify him/herself as the Personal Representative. If you have already submitted an Eligibility Form for Deceased Individuals, this step has been completed. The Personal Representative must provide identification and contact information as well as information/documentation that demonstrates his/her authority as the Personal Representative. You should upload a document to the claim (or send it by mail to the VCF) that includes the following information about the Personal Representative:

- Full legal name
- Complete mailing address, including apartment or suite number
- Telephone number including area code
- Country of Citizenship (if not the U.S.)
- Social Security Number or National ID Number
- Passport Country (if note the U.S.)
- A brief explanation of the authority of the individual to be the Personal Representative and the relationship of the individual (if any) to the deceased claimant

Need Help?

- Need online access to the Personal Injury claim? Call our Helpline at **1-855-885-1555**
- Visit **www.vcf.gov** for information and resources

Step 3. Submit the required documents to prove your authority as the Personal Representative to file a claim on the decedent's behalf. You must mail the items listed below to the VCF before we can review your request:

- **Original or a certified copy** of the Court Order, Letters of Administration, or Testamentary Letters showing the appointment of the Personal Representative of the decedent or the executor or administrator of the decedent's will or estate, and a copy of the decedent's will if one exists
- **Original or a certified copy** of the death certificate listing the cause of death

Step 4. Complete and Submit required Attestations, Certifications and Exhibits: The Personal Representative must also complete and submit a new set of signature pages using Part IV and Exhibits from the [Claim Form for Deceased Individuals](#). The Personal Representative must submit Attestations and Certifications A, B, C, D, G and H and Exhibit F.

Step 5. If applicable, provide information about the attorney associated with the claim: If the Personal Representative wants to be represented by an attorney, you must submit Attestations and Certifications E and F and Exhibit C from the [Claim Form for Deceased Individuals](#). These forms are required whether or not the attorney represented the decedent in his or her VCF claim.

Step 6. Submit payment information for the Personal Representative: The Personal Representative should submit payment information so the VCF can process any future payments. This may be a [VCF ACH Payment Information Form](#) or an authorization to pay a law firm account if the Personal Representative has such an agreement. If a payment has already been made on the claim, the VCF will add the Personal Representative information and associated payment instructions to the claim in order to make the final payment on the claim.

Step 7. The VCF will contact you: We will review the information submitted by the Personal Representative and send you a letter confirming that the Personal Representative is authorized to represent the decedent for the VCF claim. If an Eligibility determination has not yet been made on the claim, we will review the claim, contact you to request any missing information, and notify you of the decision on the claim.

Please do not take any additional action on the claim until you hear from the VCF.